

AN ORDINANCE

C.T. Martin

03-O-0950

Councilmember C. T. Martin

An Ordinance to amend the 1962 Pension Act (Ga. L. 1962, p. 3140 et seq.) applicable to members of the General Employees Pension Fund of the City of Atlanta, so as to reduce the age adjustment by One-half (1/2) of that contained in said Pension Act, for officers and Employees who have not yet attained the age of 55 years, who have at least 25 years of service with the City of Atlanta, and who have been involuntarily separated to balance the City of Atlanta 2002 and 2003 Budgets and for reorganization of the workforce; and for other purposes

WHEREAS, the City of Atlanta is in a fiscal crisis and will be reducing the City's workforce to assist in balancing the 2002 and 2003 Budgets; and

WHEREAS, the City of Atlanta is reorganizing the City's workforce and will be reducing the City's workforce in this process; and

WHEREAS, the City of Atlanta desires to minimize the impact of a reduction on its workforce on long term older employees; and

WHEREAS, Ordinance No. 03-O-0042, adopted by the City Council on April 21, 2003 and approved by the Mayor on April 28, 2003, reduced the age adjustment by one-half (1/2) for those officers and employees who are participants in the City's 1978 Pension Plan who were involuntarily separated to balance the City's 2002 and 2003 Budgets and for reorganization of the workforce; and

WHEREAS, several officers and employees who were so involuntarily separated are subject to the City's 1962 Pension Amendment (Ga. L. 1962, p. 3140 et seq.) and were not covered by ordinance No. 03-O-0042; and

WHEREAS, to bring equity to these two classes of officers and employees the same pension benefits should be extended to these officers and employees who are subject to the 1962 Pension Amendment.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA,
HEREBY ORDAINS, as follows:**

Section 1: (a) Any officer or employee subject to the terms of the 1962 City of Atlanta Pension Amendment (Ga. L. 1962, p. 3140 et seq.) who has not yet attained the age of 55 years, who has at least 25 years of service with the City of Atlanta, and who has been involuntarily separated due to or in association with a Reduction-in-Force (RIF), or in conjunction with the City's reorganization and downsizing of the City's workforce and budgetary needs, but not due to disciplinary action, between December 31, 2001 and

December 31, 2003, may elect to take a monthly retirement benefit with an age adjustment equal to one-half (1/2) of the age adjustment provided for in said 1962 Amendment for officers and employees who have attained the age of 55 years of age.

(b) Any former officer or employee eligible to retire pursuant to this ordinance who has been involuntarily separated due to or in association with a RIF, but not due to disciplinary action, between December 31, 2001 and December 31, 2003 in conjunction with the City's reorganization and downsizing of the City's workforce and budgetary needs, and has already applied for and/or has been granted a service pension, may make written application to the Pension Office within the two year reemployment rights period to receive the benefit authorized in subsection (a) of this ordinance.

(c) Any former officer or employee eligible to retire pursuant to this ordinance who has been involuntarily separated due to or in association with a RIF, but not due to disciplinary action, between December 31, 2001 and December 31, 2003 in conjunction with the City's reorganization and downsizing of the City's workforce and budgetary needs, and has applied for and received a refund of his/her pension contribution, may, within the two year reemployment period, repay said contribution plus interest at a rate of seven (7) percent per annum from the date of withdrawal of his/her contribution, to the date that he/she makes written application to the Pension Office for the purpose of receiving the benefit authorized in subsection (a) of this Ordinance.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.